Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

NPT/CONF.2000/PC.I/10
11 April 1997

ORIGINAL: ENGLISH

First session
New York, 7-18 April 1997

LETTER DATED 10 APRIL 1997 FROM THE CHAIRMAN OF THE WORKING GROUP ON DISARMAMENT OF THE MOVEMENT OF NON-ALIGNED COUNTRIES ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMITTEE

On behalf of the Group of States members of the Movement of Non-Aligned Countries and other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in my capacity as Chairman of the Working Group on Disarmament of the Movement of Non-Aligned Countries, I have the honour to enclose herewith the document entitled "Views of the States members of the Movement of Non-Aligned Countries and other States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the 2000 Review Conference and its Preparatory Committee meetings" (see annex). It contains various aspects related to the Treaty that are of paramount importance to the present and subsequent Preparatory Committee meetings as well as the 2000 Review Conference.

It would be highly appreciated if you could circulate the present letter and its annex as an official document of the Preparatory Committee.

(Signed) Nugroho WISNUMURTI

97-09757 (E) 150497

/...

ANNEX

Views of the States members of the Movement of Non-Aligned Countries and other States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the 2000 Review Conference and its Preparatory Committee meetings

I. SUBSTANTIVE ISSUES

General views

1. The forthcoming meetings of the Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons will be the harbinger of a new era in our continuing endeavours to strengthen the review process of the operation of the Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty in their entirety are being realized and thereby fulfil the commitments undertaken by the 1995 Review and Extension Conference of Parties to the Treaty.

2. The decisions and resolution of the 1995 Review and Extension Conference constitute a single integral undertaking. This integrality should be maintained and respected.

3. The Treaty is a key instrument to halt vertical and horizontal proliferation of nuclear weapons. The international community should work towards a fair balance between the mutual obligations and responsibilities of the nuclear-weapon States and non-nuclear-weapon States with a view to achieving the complete elimination of nuclear weapons.

4. At the Cartagena summit meeting, the heads of State or Government of countries belonging to the Movement of Non-Aligned Countries that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons, consistent with the decisions and resolution adopted by the 1995 Review Conference, called upon all States and, in particular, the nuclear-weapon States, to fulfil the commitments they have undertaken in their entirety, inter alia:

(a) The achievement of universality of the Treaty;

(b) The conclusion of legally binding instruments to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons;

(c) A ban on fissile materials and other nuclear devices for weapon purposes;

(d) The elimination of nuclear weapons and other weapons of mass destruction, which must be accorded priority;

(e) The establishment of nuclear-free zones;

(f) The unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes to all States parties without exception.

5. Significant progress has been achieved in recent years in disarmament: inter alia the conclusion and the entry into force of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; adoption and the commencement of the preparatory process for the implementation of the Comprehensive Nuclear Test Ban Treaty, adoption of an amended Protocol II and Protocol IV of the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects; the conclusion of the treaties on the establishment of nuclear-weapon-free zones in Southeast Asia (Bangkok Treaty) and in Africa (Pelindaba Treaty), which effectively mean that the entire southern hemisphere is covered by nuclear-weapon-free zones; and the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons. However, the Movement of Non-Aligned Countries continues to believe that many important and significant tasks remain ahead of it, particularly on the shaping of the future agenda for nuclear disarmament.

6. The purpose of the upcoming meeting of the Preparatory Committee would be to consider ways to promote full implementation of and universal adherence to provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and to make recommendations to the 2000 Review Conference. The Preparatory Committee meetings should make substantive contributions, taken into account by the 1995 decisions on "Strengthening the review process" and "Principles and objectives" in order to enable the Review Conference to evaluate the full realization and effective implementation of the provisions of the Treaty and identify the areas in which further progress should be sought in the future.

7. The preparations for the 2000 Review Conference provide an opportunity for the realization of the objectives enshrined in the Treaty. For the successful outcome of the Review Conference substantive preparation should be made by the Preparatory Committee meetings in order to elaborate rolling texts to be submitted for consideration by the Conference, as basis for its final document. In this context, the Movement of Non-Aligned Countries offers its preliminary views, which consist of the following:

Universality

8. The States parties to the Treaty on the Non-Proliferation of Nuclear Weapons emphasize the urgency and the importance of achieving the universality of the Treaty.

9. The Preparatory Committee meetings and the Review Conference should consider ways and means to achieve the universality of the Treaty, particularly by the accession to the Treaty at the earliest possible date of those States possessing nuclear capabilities.

Non-proliferation

10. The Treaty on the Non-Proliferation of Nuclear Weapons has a vital role to play in preserving the non-proliferation of nuclear weapons in all its aspects. The international community should make all the possible efforts to prevent the

proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by States parties to the Treaty.

Nuclear disarmament

11. States parties should agree on a recommendation to the Conference on Disarmament to establish, on a priority basis, an ad hoc committee on nuclear disarmament to commence negotiations on a phased programme of nuclear disarmament and for the complete elimination of nuclear weapons within a specified framework of time, including a nuclear-weapons convention. A universal and legally binding multilateral agreement should be concluded committing all States to the complete elimination of nuclear weapons and to commence negotiations on a treaty banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices. The ad hoc committee on nuclear disarmament would take into account the proposal for a programme of action for the elimination of nuclear weapons submitted by 28 members of the Conference belonging to the Group of 21 (CD/1419) as well as any other existing proposals and future initiatives in this regard. In this context, the nuclear-weapon States should adopt flexible approach, taking into account their commitment, as stated in article VI of the Treaty, to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

12. The nuclear-weapon States should express their commitment to undertake a step-by-step reduction of the nuclear threat and a phased programme of progressive and deep reductions of nuclear weapons, and to carry out effective nuclear disarmament measures with a view to the total elimination of these weapons.

Security assurances

13. The total elimination of nuclear weapons is the only genuine guarantee for all non-nuclear-weapon States against the use or threat of use of nuclear weapons. Pending the achievement of such a goal, a legally binding negative security assurances regime which will ensure the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons must be urgently concluded. In this regard, there is no objection, in principle, in the Conference on Disarmament and the General Assembly, to the idea of an international legally binding instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Hence, the States parties should agree to negotiate, in the Preparatory Committee meetings for the 2000 Review Conference on a legal instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons to be finally adopted by the 2000 Review Conference as a protocol annexed to the Treaty on the Non-Proliferation of Nuclear Weapons.

Fissile material

14. States parties support the establishment of a treaty banning the production and stockpiling of fissile material for nuclear weapons and other nuclear explosive devices in the Conference on Disarmament. It would be a significant contribution to nuclear disarmament and non-proliferation provided that such a treaty is non-discriminatory, effectively verifiable and universally applicable.

Safeguards

15. International Atomic Energy Agency (IAEA) safeguards are an essential element in providing a guarantee that States are complying with article III undertakings. All States parties that have not yet done so should sign without delay the safeguard agreements required by article III of the Treaty.

16. The Movement of Non-Aligned Countries parties to the Treaty on the Non-Proliferation of Nuclear Weapons believe that new supply arrangements for the transfer of source of special fissionable material or equipment or material specially designed or prepared for the processing, use or production of a special fissionable material to non-nuclear-weapon States should require as a necessary precondition, acceptance of full-scope safeguards.

17. Nuclear material transferred from military uses to peaceful activities should be placed under IAEA safeguards.

Peaceful uses of nuclear energy

18. The inalienable right of all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to engage in research, production and use of nuclear energy for peaceful purposes without discrimination must be reaffirmed by all nuclear and non-nuclear States parties alike. It is also essential that free and unimpeded and non-discriminatory transfer of nuclear technology for peaceful purposes to all States parties be fully guaranteed. States parties should reaffirm their commitment to the implementation of article IV of the Treaty.

19. Unilaterally enforced restrictive measures, beyond safeguards required under the Treaty, which prevent peaceful nuclear development should be removed.

20. In all activities designed to promote the peaceful uses of nuclear energy, preferential treatment should be given to the non-nuclear-weapon States party to the Treaty, taking into account particularly the needs of developing countries.

Nuclear-weapon-free zones

21. Taking into account article VII of the Treaty on the Non-Proliferation of Nuclear Weapons and the decision of the 1995 Review and Extension Conference relating to the establishment of such zones, States parties should express support on measures taken by a State party or group of States parties to establish nuclear-weapon-free zone treaties and support proposals to establish these zones in other parts of the world where they do not exist on the basis of arrangements freely arrived at among the States of the region concerned as a measure towards the strengthening of nuclear non-proliferation regimes and realizing the objectives of nuclear disarmament. States parties should welcome the initiative taken by States in Central Asia freely arrived at among themselves to establish a nuclear-weapon-free zone in that region.

22. The States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba should promote the common goals envisaged in those treaties, explore and implement further ways and means of cooperation,

including the consolidation of the status of the nuclear-weapon-free southern hemisphere and adjacent areas.

The resolution on the Middle East

23. It has to be noted that no progress has been achieved in the implementation of the resolution on the Middle East adopted by the 1995 Review and Extension Conference. The Preparatory Committee meetings should follow up on the implementation of the provisions of this resolution with a view to reporting to the Review Conference on the progress achieved in this regard.

24. Since the adoption of the resolution, new realities have emerged in the Middle East pertaining to adherence to the Treaty on the Non-Proliferation of Nuclear Weapons. With the latest accession of United Arab Emirates, Djibouti and Oman, it is now a reality that all States of the Middle East have become parties to the Treaty with the exception of Israel.

25. The Movement of Non-Aligned States are convinced that the implementation of this resolution should proceed as soon as possible with a view to enhancing the universality of the Treaty and the non-proliferation regime as a whole. In this regard, the meetings of the Preparatory Committee should welcome the latest accessions to the Treaty and call upon Israel to accede to it without further delay as well as to place its nuclear facilities under full-scope IAEA safeguards.

26. Furthermore, the Preparatory Committee should recommend ways and means to get all parties directly concerned to engage seriously in undertaking practical and urgent steps required for the establishment of a nuclear-weapon-free zone in the Middle East, a zone which should be freely arrived at among regional States.

27. The depository States of the Treaty on the Non-Proliferation of Nuclear Weapons have a special responsibility in this regard, as co-sponsors of the draft resolution submitted for adoption by the 1995 Review and Extension Conference, and as the resolution constitutes part and parcel of the package of the outcome composed of three decisions and the resolution.

II. ORGANIZATIONAL ISSUES

28. Taking the above into consideration, the upcoming meetings of the Preparatory Committee could be organized as follows:

(a) On substantive discussions, attention should be focused on issues of concern to all States parties, utilizing the Treaty on the Non-Proliferation of Nuclear Weapons as well as the decisions taken in the 1995 Review and Extension Conference as the yardsticks in determining the objectives to be achieved by the Review Conference to be held in the year 2000. It should be discussed in a structured, coherent and focused manner in order to obtain the maximum results as to promote the full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference;

(b) The formulation of recommendations to be considered by the Review Conference shall not replace the evaluation of the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons since the Conference in 1995. The States parties to the Treaty should start negotiations in the first Preparatory Committee on a rolling text on the implementation of all the articles and preamble of the Treaty;

(c) States parties of the Movement of Non-Aligned Countries that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons welcome the participation of non-governmental organizations, which could also make a positive contribution towards the attainment of these objectives.